IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14936 of 2004

Between:

N. Ramesh Yadav, S/o. N. Jangaiah,
R/o. 13-6-462/10/A, Bhagwandas Bagh, Karwan, Tallagadda, Hyderabad.

..... PETITIONER

AND

1 The Assistant Secretary, Retional Transport Authority,
(West Zone)Gudimalkapur, Hyderabad.
2 The Asst. Motor Vehicle Inspector, Regional Transport Authority,

(West Zone), Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction particularly one in the nature of a writ of Mandamus, declaring that the inaction on the part of 2nd respondent in impounding the Certificate of Registration of the petitioner's Tata Sumo Vehicle bearing No. AP/10Q-7930 vide under vehicle check report, Dt. 19-8-2004 amounts to erroneous arbitrary, contrary to law consequently direct the respondents to release the Certificate of Registration of the petitioner's Tata Sumo Vehicle bearing No. AP/10Q-7930 forthwith.

Counsel for the Petitioner:MR.T.C.KRISHNAN

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties.

The petitioner has paid tax up to 31st March, 2005. His R.C has been retained by the Assistant Motor Vehicle Inspector, and he has been advised to pay life tax. If the vehicle owned by the petitioner is liable to pay life tax, the Department is free to issue a notice and demand to pay the life tax. Since, ***prima facie***, the petitioner has paid tax up to 31st March, 2005, as is evident from the receipt annexed with this writ petition, we direct that the R.C. be returned to the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

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(BILAL NAZKI, J)

23rd August, 2004.

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(S.ANANDA REDDY, J)

Note:Furnish C.C by tomorrow.

B/o

vrn

To

1 The Assistant Secretary, Retional Transport Authority,
(West Zone)Gudimalkapur, Hyderabad.
2 The Asst. Motor Vehicle Inspector, Regional Transport Authority,

(West Zone), Hyderabad.

3 Two C.Cs to the Government Pleader for Transport, High Court

Buildings, A.P., Hyderabad (OUT)

4 Two C.D. copies